



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,624	02/10/2004	Azeemullah Khan	MSFT-2949/307005.01	1533
41505 7590 04/19/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER KHATRI, ANIL	
			ART UNIT 2191	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/775,624	KHAN ET AL.	
	Examiner	Art Unit	
	Anil Khatri	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/31/05, 3/15/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: *"SQL Server Debugging in a Distributed Database Environment"*.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 19-26 and 32-33 are rejected under 35 USC 101 because they disclose a claimed invention that is an abstract idea as defined in the case *In re Warmerdam*, 33, F 3d 1354, 31 USPQ 2d 1754 (Fed. Cir. 1994).

Examiner interprets that the claims 19-26 and 32-33 are non-statutory because claim is a computer program for processing set of instructions which capable of being executed by a computer implemented method, the computer program itself is not a process and without the computer-readable storage medium so its functionality can be realized. Applicant submit no substance that how this will be processed without incorporating a processor, memory and medium. Therefore, claims 19-26 and 32-33 are merely a executing instruction which is not able to produce a useful results and practical application. Thus claims 19-26 and 32-33 are non-statutory and rejected under 35 USC 101.

Art Unit: 2191

Further, examiner interprets that 19-26 and 32-33 are not limited to tangible embodiments. In view of Applicant's disclosure, specification page 7 lines 17-25 the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., [computer readable medium]) and intangible embodiments (e.g., [transmission media, radio frequency (RF), infrared (IR), a carrier wave, telephone line, a signal, etc.]). As such, the claim is not limited to statutory subject matter and is therefore non-statutory. To overcome this type of 101 rejection the claims need to be amended to include only the physical computer media and not a transmission media or other intangible or non-functional media.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by *Al-Azzawe*

USPN 7,155,426.

Regarding claim 1

Al-Azzawe teaches,

a server, wherein the server runs the distributed database application (figures 1 and 2, column 2, lines 51-65, "present invention...debugger engine);

a client, wherein the client interacts with the distributed database application by way of the client connection (figures 1 and 2, column 51-65, present invention...debugger engine);and

Art Unit: 2191

a debugger, wherein the debugger debugs the distributed database application process (figures 1 and 2, column 13, liens 23-27; ‘debugging of the server...’);

an application program interface (API), wherein the API receives a request to initiate a debugging session from the debugger, returns an interface pointer to the debugger, causes the server to the client connection according to the interface pointer, and connects the client connection to the debugger (figures 1 and 2, column 5, lines 12-30, “two server 102...communication lines 112).

Regarding claims 2-4

Al-Azzawe teaches,

wherein the server, client and debugger are operating on the same computer (figures 1-2, column 5, lines 31-45, “after the load of...to the debugger).

Regarding claim 5

Al-Azzawe teaches,

API receives a debugger request to debug managed code, causes the server to call a remote debugging component, and wherein the debugger debugs the managed code by way of the remote debugging component (column 3, lines 1-11, “the method may...capabilities).

Regarding claim 6

Al-Azzawe teaches,

API further detects a transition between Transact-Structured Query Language (T-SQL) and managed code and calls a method to communicate the transition to the debugger (column 4, lines 1-10, “although described in reference...TSQL instructions).

Art Unit: 2191

Regarding claim 7

Al-Azzawe teaches,

the debugger debugs the distributed application process according to the transition (column 5, lines 38-50, “when the debugging and managing...debugger engine).

Regarding claim 8

Al-Azzawe teaches,

the debugger further comprises a user interface, wherein the user interface displays only the T-SQL activity within the server on the client connection being debugged (column 5, lines 58-67, “during the debugging...).

Regarding claim 9

Al-Azzawe teaches,

debugger further comprises a user interface, wherein user interface displays only threads associated with the client connection (figures 1-2, column 3, lines 7-18, “the debugger interface... information).

Regarding claim 10

Al-Azzawe teaches,

the server detects an addition of a dynamic T-SQL frame to a user stack within the server and calls a method to pass text of the dynamic T-SQL frame to the debugger (column 8, lines 30-46, “debugging of stored... the stored procedure).

Art Unit: 2191

Regarding claims 11-13

Al-Azzawe teaches,

receiving a first call for a stored procedure from the debugger process (column 3, lines 3-7, “provide call stacking...);

returning an interface pointer to the debugger process responsive to the received first call (column 3, lines 3-7, “provide call stacking...);

receiving a second call for a register method from the debugger process, wherein the second call comprises a machine name, a process ID and an interface pointer (column 9, lines 25-41, “the client application...the client 110);

recognizing a client connection matching the machine name, process ID and interface pointer on the server process (column 9, lines 43-53, “the debugger routers...debugging operation);

halting execution of the client connection on the server process responsive to detection (column 9, lines 7-17, “the PSM debugger interface calls...);

executing a third call, wherein the third call establishes operative communications between the debugger process and the client process (column 10, lines 39-57, “the debugger router uses...running); and

debugging the client process (column 11, lines 28-42, “debugger regardless... debugging).

Regarding claims 14

Al-Azzawe teaches,

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 6, therefore, claim 14 is rejected under same rationale.

Art Unit: 2191

Regarding claims 15

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 7, therefore, claim 15 is rejected under same rationale.

Regarding claims 16

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 6, therefore, claim 16 is rejected under same rationale.

Regarding claims 17

Al-Azzawe teaches,

server process is executing managed code on the client connection and the debugger process is debugging the managed code, and further comprising displaying, on a user interface, only threads associated with the managed code being debugged (figures 1-2, column 5, lines 12-29, “two server 102 site... communication lines).

Regarding claims 18

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 10, therefore, claim 18 is rejected under same rationale.

Regarding claims 19

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 11, therefore, claim 19 is rejected under same rationale.

Regarding claims 20

Rejection of claim 20 is incorporated and further claim recites limitations as in claim 12, therefore, claim 20 is rejected under same rationale.

Art Unit: 2191

Regarding claims 21

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 13, therefore, claim 21 is rejected under same rationale.

Regarding claims 22

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 6, therefore, claim 22 is rejected under same rationale.

Regarding claims 23

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 7, therefore, claim 23 is rejected under same rationale.

Regarding claims 24

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 6, therefore, claim 24 is rejected under same rationale.

Regarding claims 25

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 17, therefore, claim 25 is rejected under same rationale.

Regarding claims 26

Rejection of claim 19 is incorporated and further claim recites limitations as in claim 10, therefore, claim 26 is rejected under same rationale.

Regarding claims 27

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 27, therefore, claim 27 is rejected under same rationale.

Art Unit: 2191

Regarding claims 28

Rejection of claim 27 is incorporated and further claim recites limitations as in claim 7, therefore, claim 28 is rejected under same rationale.

Regarding claim 29

Rejection of claim 27 is incorporated and further claim recites limitations as in claim 1, therefore, claim 29 is rejected under same rationale.

Regarding claim 30

Al-Azzawe teaches,

detecting a security context of the client connection and performing connecting step only if the security context matches a predetermined security context (column 11, lines 1-10).

Regarding claims 31

Al-Azzawe teaches,

calling step is by way of a distributed component object model (DCOM) (column 10, lines 60-67, “debugging Java and C, C++...).

Regarding claim 32

Rejection of claim 11 is incorporated and further claim recites limitations as in claim 11, therefore, claim 32 is rejected under same rationale.

Regarding claim 33

Rejection of claim 32 is incorporated and further claim recites limitations as in claim 9, therefore, claim 33 is rejected under same rationale.


Art Unit: 2191

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ANIL KHATRI
PRIMARY EXAMINER